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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,787	12/17/2001	Eiichiroh Hosoi	JP920000428US1	1983
26502	7590	09/08/2005	EXAMINER	
IBM CORPORATION IPLAW IQ0A/40-3 1701 NORTH STREET ENDICOTT, NY 13760			JEAN GILLES, JUDE	
			ART UNIT	PAPER NUMBER
			2143	

DATE MAILED: 09/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

10/021,787

Applicant(s)

HOSOI, EIICHIROH

Examiner

Jude J. Jean-Gilles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 December 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This office action is responsive to communication filed on 12/17/2001. Claimed priority is granted from foreign application No. 2000-3937 with a priority date of 12/25/2000.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-16** are rejected under 35 U.S.C. 102(e) as being anticipated by Yoshida et al (Yoshida), Patent No. 6,801,546 B1.

Regarding **claim 1**, Yoshida discloses a method for communicating electronic mail data from a sender to a receiver via a network (fig. 1), comprising the steps of:

(a) recognizing a dial number of said receiver corresponding to destination address information attached to said electronic mail data (column 14, lines 37-65; column 18, lines 1-39);

(b) converting said electronic mail data into an image form permitting facsimile communication (column 12, lines 61-67; column 13, lines 1-31); and

(c) initiating a call to said receiver using said recognized dial number and transmitting said electronic mail data converted into said image form to the receiver by facsimile communication procedures (column 23, lines 34-67).

Regarding **claim 2**, Yoshida discloses the method as set forth in claim 1, wherein the step of converting comprises the step of determining a horizontal number of pixels and generating data by linking the data with the horizontal number in a vertical direction according to a specification based on ITU-T Recommendation T-30 (column 14, lines 28-65).

Regarding **claim 3**, Yoshida discloses the method as set forth in claim 2, wherein the step of converting further comprises the step of generating data to be transmitted by using a mail body in which said electronic mail data are recognized to be a series of binary values, a header representing said image form, and a padding for linking the mail body and the header by adjusting line width of the horizontal numbers of pixels. Note that these features are inherent to an electronic mail and are well known in the art.

Regarding **claim 4**, Yoshida discloses an electronic mail communicating method, comprising the steps of:

(a) retrieving mail information stored in a server (fig. 1, item 1-3) to be transmitted over a switched line (fig. 1, item 1-6) from the server (column 8, lines 36-67);

(b) selecting a specification of communication needed for communication over the switched line from a network address contained in said mail information (column 17, lines 8-64); and

(c) initiating a call to said switched line using the selected specification of communication, and transmitting said mail information according to facsimile communication procedures to a receiving apparatus connected via the switched line (column 23, lines 34-67).

Regarding **claim 5**, Yoshida discloses the electronic mail communicating method as set forth in claim 4, wherein the step of retrieving comprises the step of retrieving said mail information with recognition that the mail information is to be transmitted from said network address via said switched line (column 23, lines 34-67; column 17, lines 8-64).

Regarding **claim 6**, Yoshida discloses an electronic mail communicating method, comprising the steps of:

(a) receiving data containing electronic mail information converted into an image form permitting facsimile communication from a sender (column 29, lines 20-62);

(b) converting said received data into electronic mail information (column 23, lines 5-65);

(c) analyzing a destination contained in the converted electronic mail information;
(d) generating reply information to converted electronic mail information (column 23, lines 5-65); and

(e) converting said reply information into said image form and sending the converted reply information to the sender (column 24, lines 8-67).

Regarding **claim 7**, Yoshida discloses the electronic mail communicating method as set forth in claim 6, wherein, if a terminal with a destination corresponding to said analyzed destination is not connected to an internal network, reply information representing absence of any relevant destination is generated (column 34, lines 39-65).

Regarding **claim 8**, Yoshida discloses the electronic mail communicating method as set forth in claim 6, wherein, if received data do not contain electronic mail information, conventional facsimile reception operation takes place (column 34, lines 3-38).

Regarding **claim 9**, Yoshida discloses an electronic mail transmitting apparatus for transmitting electronic mail data to a receiver using a switched line not through the Internet (fig. 1, item 1-6), comprising:

- a communication specification determination unit for determining a specification of communication with said receiver for communication over said switched line based on destination address information for an external network assigned to the electronic mail data (column 23, lines 34-67);

- a conversion unit for converting electronic mail data to be transmitted into a data form for communication over said switched line (fig. 3, item 3-10, column 17, 32-51; column 12, lines 61-67; column 13, lines 1-31); and

- a transmission unit for transmitting said electronic mail data converted into said data form by said converting unit, to said receiver in accordance with said specification of communication determined by said communication specification determination unit, using said switched line (column 17, lines 8-64; column 18, lines 10-64).

Regarding **claim 10**, Yoshida discloses the electronic mail transmitting apparatus as set forth in claim 9, wherein said communication specification determination unit stores in advance correspondence information among destination address information for a network assigned to electronic mail data, a dial number of said receiver and a communication procedure based on ITU-T Recommendation T-30, and determines the specification of communication based on the stored correspondence information (column 14, lines 28-65).

Regarding **claim 11**, Yoshida discloses the electronic mail transmitting apparatus as set forth in claim 9, wherein said conversion unit recognizes data contained in said electronic mail data as a series of binary values, and converts the data form by adjusting line widths. Note that these features are inherent to an electronic mail and are well known in the art.

Regarding **claim 12**, Yoshida discloses an electronic mail transmitting apparatus, comprising:

a mail retrieving unit for retrieving from a server mail information to be transmitted over a switched line (column 8, lines 36-67);

a communication specification determination unit for determining a specification of communication for communication over the switched line based on a network address contained in said mail information retrieved by said mail retrieving unit (column 17, lines 8-64); and

a transmission unit for initiating a call on said switched line using said specification of communication determined by said communication specification

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determination unit and transmitting said mail information to a receiving apparatus connected via the switched line by facsimile communication (column 23, lines 34-67).

Regarding **claim 13**, Yoshida discloses a mail receiving apparatus for receiving electronic mail data converted into a form permitting facsimile communication from a sender via a switched line, comprising:

a receiving unit for receiving data from said sender via said switched line by facsimile communication (column 29, lines 20-62);

a restoring unit for restoring said data received by said receiving unit into electronic mail data (column 23, lines 5-65); and

a transferring unit for transferring said electronic mail data restored by said restoring unit to a server connected to an internal network (column 17, lines 8-64; column 18, lines 10-64).

Regarding **claim 14**, Yoshida discloses the electronic mail receiving apparatus, as set forth in claim 13, further comprising:

a destination recognition unit for recognizing a destination of the electronic mail data based on said electronic mail data restored by said restoring unit (column 14, lines 37-65; column 18, lines 1-39; column 23, lines 5-65); and

a notification unit for notifying the sender if the destination recognized by said destination recognition unit is not in said internal network (column 34, lines 39-65).

Regarding **claim 15**, Yoshida discloses an electronic mail communication system, comprising:

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an Internet-connected transmission mail server; a transmission client connected to the transmission mail server to instruct transmission of electronic mail, and a transmission agent connected to a switched line to function as a client to the transmission mail server (fig. 1, items 1-3, 1-5; column 8, lines 36-67),

wherein said transmission client outputs, to said transmission mail server, electronic mail data that includes a description of a destination of said transmission agent and a description of a final mail destination (column 14, lines 37-65; column 18, lines 1-39); and

wherein said transmission agent retrieves electronic mail data in which the destination of the transmission agent is described by said transmission client from said transmission mail server and transmits the electronic mail data using facsimile communication procedures using the switched line (column 23, lines 34-67; column 17, lines 8-64;).

Regarding **claim 16**, Yoshida discloses an electronic mail communication system for transmitting and receiving electronic mail information between an internal network on a sender side and an internal network on a receiver side (column 14, lines 37-65; column 18, lines 1-39), wherein

the internal network on the sender side comprises a transmission mail server, a transmission client for generating electronic mail information, and a transmission agent which is a client having a function for transmitting the electronic mail information via a switched line (column 23, lines 34-67; column 17, lines 8-64; fig. 1, items 1-3, 1-5, 1-6);

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the internal network on the receiver side comprises a reception mail server, a reception client which is a final destination of the electronic mail information, and a reception agent which is a client having a function for receiving the electronic mail information via a switched line (fig. 1, items 1-9, 1-10, 1-6);

said transmission agent transmits an electronic mail message whose final destination is said reception client designated by said transmission client to said reception agent via said switched line (column 23, lines 34-67; column 17, lines 8-64);

said reception agent transfers said electronic mail received via said switched line to said reception mail server (column 14, lines 37-65; column 18, lines 1-39).

Conclusion

3. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


Jude Jean-Gilles

Patent Examiner

Art Unit 2143

JJG

September 3, 2005



DAVID WILEY
SUPERVISORY PATENT EXAMINER
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